

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**JERRY TRULL, et al.,**

**Plaintiffs,**

**Case No. 1:02-cv-243**

**v.**

**Honorable Lacy H. Thornburg**

**DAYCO PRODUCTS, LLC., et al.,**

**Defendants.**

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**JOYCE RIGGS, et al.,**

**Plaintiffs,**

**Case No. 1:05-cv-91**

**v.**

**Honorable Lacy H. Thornburg**

**DAYCO PRODUCTS, LLC., et al.,**

**Defendants.**

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**ORDER**

The parties having filed a Motion for Provisional Approval of Settlement Agreement, the Court having entered an Order granting preliminary approval of the Settlement Agreement as fair, reasonable and in the best interests of all class members in both of these cases, and the Court having held a fairness hearing on March 2, 2007,

**IT IS HEREBY ORDERED as follows:**

1. The Court's December 21, 2007 Order granting preliminary approval of the Settlement Agreement (*Trull* Dkt. 288; *Riggs* Dkt. 133) remains in force until May 22, 2007, the expiration of the ninety-day period for the U.S. Attorney General to file an objection under the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715.

2. For good cause shown, the parties are permitted to begin implementation of the Settlement Agreement on April 1, 2007.

3. For good cause shown and in order that affordable coverage can be offered on or before April 1, 2007, each class member electing to remain or enroll in the Silver Care Plan or Steelworkers program/VEBA plan is deemed to have released and covenanted not to sue with respect to all claims for UHC coverage as well as any claims based on differences in coverage among these plans in the event that this Court does not enter final judgment at the expiration of the ninety-day period for the U.S. Attorney General to file objections under CAFA. In addition, Paragraph 10 of the Court's December 21, 2006 Order remains in force.

4. The form of the proposed "Notice of Election and Waiver of Claims" (Attached as an exhibit to the Memorandum) is approved as being fair, reasonable, and in the best interests of all class members.

5. At the expiration of the ninety-day period for the U.S. Attorney General to file objections under CAFA, on May 22, 2007, if the Court has not received an objection from the U.S. Attorney General persuading the Court that the Settlement Agreement is not fair, reasonable, and in the best interests of all class members in *Trull* and *Riggs*, the Court will enter final approval of the Settlement Agreement.

6. In the event that the U.S. Attorney General files a notice with the Court that it will not object to the Settlement Agreement or that it will agree to shorten the time period for filing objections under CAFA, the Court will enter final approval promptly.

Signed: March 2, 2007

A handwritten signature in dark ink, appearing to read "L. H. Thornburg", written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

